

# Monterey County

*Monterey County Government Center  
Board of Supervisors Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901*



## Action Minutes - Draft

**Tuesday, July 23, 2019**

**9:00 AM**

## Board of Supervisors

*Chair Supervisor John M. Phillips - District 2  
Vice Chair Supervisor Chris Lopez - District 3  
Supervisor Luis A. Alejo - District 1  
Supervisor Jane Parker - District 4  
Supervisor Mary L. Adams - District 5*

**9:00 A.M. - Called to Order**

The meeting was called to order by Chair Supervisor John M. Phillips.

**Roll Called**

Present: 5 - Supervisor Mary L. Adams, Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Chris Lopez and Supervisor Luis A. Alejo

**Staff Present**

Nick Chiulos, Assistant County Administrative Officer, Charles McKee, County Counsel and Valerie Ralph, Clerk of the Board

**Additions and Corrections for Closed Session by County Counsel**

There were no additions and corrections for Item No.'s 1.a. through d.

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Cupul, Dayami, et al. v. Natividad Medical Center, et al.; Monterey County Case Number 18CV000786
    - (2) Save Our Peninsula Committee vs. County of Monterey et al.; Monterey County Case Number M110694
    - (3) Joseph Chaffee (Worker's Compensation Appeals Board, Case No. ADJ8330257 and ADJ8369728); Proposed Settlement Authority
    - (4) Mauck, Steven F. v. County of Monterey, et al.; United State District Court Case No. 18-CV-04482 NC
  - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.
  - c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
    - (1) Property: Fort Ord Landfill Parcels and Landfill Buffer Parcels, APNS 031-101-039, 031-101-040, 031-101-41, 031-101-042, 031-101-056, 031-101-057, 031-101-058, 031-161-041, 031-161-058, and Army owned Parcel E8a.2 (No APN)  
Agency Negotiator(s): Carl Holm, Resource Management Agency Director

Negotiating Parties: Layne Long, City of Marina  
Under negotiation: Price and terms  
(2) Property: Lease of office space at 142 West Alisal St. Salinas CA 93901  
Agency Negotiator(s): Carl Holm & Charles McKee  
Negotiating Parties: Congressman Jimmy Panetta  
Under negotiation: Price and terms

d. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore  
Employee Organization(s): All Units

**Public Comment**

Open for public comment; no public comment made.

**The Board Recessed for Closed Session Agenda Items at 9:01 a.m.**

**10:30 A.M. - Reconvened on Public Agenda Items**

**Roll Called**

Present: 5 - Supervisor Mary L. Adams, Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Chris Lopez and Supervisor Luis A. Alejo

**Staff Present**

Nick Chiulos, Assistant County Administrative Officer, Charles McKee, County Counsel and Valerie Ralph, Clerk of the Board

**Pledge of Allegiance**

The Pledge of Allegiance was led by Assistant County Administrative Officer Nick Chiulos.

**Announcement of Interpreter**

Denise Ramero-Gutierrez, Spanish Interpreter present and announced Spanish interpreter services.

**Additions and Corrections by Clerk**

For Ceremonial Resolutions:

Added Item No 5.1.:

Adopt a resolution declaring August 2019 Child Support Awareness month in Monterey County

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to approve the additions and corrections to the agenda.  
**ALL AYES**

### Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar Items No. 21 through 51.

**Open for public comment; no public comment made.**

**Supervisor Mary L. Adams had a question on Item No. 30; staff responded. Supervisor Jane Parker commented on Item No. 39 and No. 47. Supervisor Chris Lopez commented on Item No. 44 and Supervisor Luis A. Alejo commented on Item No. 45.**

**A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to approve Consent Calendar Item No.s 21 through 51. (See Supplemental Shee) ALL AYES**

### Ceremonial Resolutions

**Open for public comment; no public comment made.**

3. Adopt Resolution proclaiming July 21-27, 2019 as Probation Services Week. (Full Board)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Chris Lopez to adopt Resolution No. 19-259 proclaiming July 21-27, 2019 as Probation Services Week. (Full Board) ALL AYES**

4. Adopt Resolution proclaiming the month of August 2019 as “Breastfeeding Awareness Month” in Monterey County. (Full Board)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Chris Lopez to adopt Resolution No. 19-260 proclaiming the month of August 2019 as “Breastfeeding Awareness Month” in Monterey County. (Full Board) ALL AYES**

5. Adopt Resolution recognizing Main Street Middle School on completion of their brand new school that will meet the needs of the Soledad Community. (Full Board)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Chris Lopez to adopt Resolution No. 19-261 recognizing Main Street Middle School on completion of their brand new school that will meet the needs of the Soledad Community. (Full Board) ALL AYES**

### Appointments

**Open for public comment; no public comment made.**

6. Reappoint Jose Vasquez to the In-Home Supportive Services Advisory Committee for a term ending June 30, 2022. (Supervisor Lopez)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to reappoint Jose Vasquez to the In-Home Supportive Services Advisory Committee for a term ending June 30, 2022. (Supervisor Lopez) ALL AYES**

7.

Reappoint Kellie D. Morgantini to the Monterey County Historic Resources Review Board for a term ending December 31, 2021. (Supervisor Lopez)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to reappoint Kellie D. Morgantini to the Monterey County Historic Resources Review Board for a term ending December 31, 2021. (Supervisor Lopez) ALL AYES**

8.

Reappoint Ann K. Beckett to the Historical Advisory Commission for a term ending February 1, 2022. (Supervisor Lopez)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to reappoint Ann K. Beckett to the Historical Advisory Commission for a term ending February 1, 2022. (Supervisor Lopez) ALL AYES**

9.

Reappoint Ana B. Vargas to the Community Action Partnership Commission for a term ending July 1, 2022. (Supervisor Lopez)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to reappoint Ana B. Vargas to the Community Action Partnership Commission for a term ending July 1, 2022. (Supervisor Lopez) ALL AYES**

9.1

Appoint J. Alan Fagan to the Housing Advisory Committee for a term ending January 26, 2020. (Supervisor Parker) (ADDED VIA ADDENDUM)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to appoint J. Alan Fagan to the Housing Advisory Committee for a term ending January 26, 2020. (Supervisor Parker) (ADDED VIA ADDENDUM)**

9.2

Reappoint Levonne Stone to the Community Action Commission for a term ending July 1, 2022. (Supervisor Parker) (ADDED VIA ADDENDUM)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to reappoint Levonne Stone to the Community Action Commission for a term ending July 1, 2022. (Supervisor Parker) (ADDED VIA ADDENDUM) ALL AYES**

### Other Board Matters

10.

Board Comments

**Supervisor John M. Phillips made no comments this week.**

**Supervisor Chris Lopez commented Mee Memorial is going through a tough adjustment, down in King City. He requested, of the County, maybe through**

the Work Force Development board, our other staff can reach out to maybe soften the blow for those 43 - 46 employees that are going to be released through their realignment, so he liked to make that request official. The other is he is getting back on the circuit of townhalls. They are going to start this up again. On July 25th they have one in Chualar at Alma's Bakery. They are proud to be partnering with them to bring a conversation about community safety. The other is a townhall in Greenfield on August 7th that they are still ironing out the time for, but it would be between 5:00 p.m. and 5:30 p.m. for a start. He and Assembly member, Robert Rivas, will be hosting a conversation on housing and the flyer will be out in couple of days.

Supervisor Mary L. Adams commented they had a great Pride parade in Monterey with a lot of attendees. It was the third one that they had since the break that took place and it was wonderful. There were so many attendees with a lot of public officials who were there walking and supporting. It was an important time for their community. She also mentioned a meeting down in Big Sur on Sunday and she took great pleasure in driving past Point Lobos to see just a couple of cars parked on the wrong side of the road, on the east side, and the Highway Patrol were out there giving tickets. As she drove by, she gave them a big thumbs up.

Supervisor Luis A. Alejo commented that he forgot last week to take a moment to recognize our Legislative team. This year they had some major budget victories in the state budget for Monterey County something that we haven't accomplished in quite some time. He wanted to take an opportunity to thank our Assistant County Administrative Officer, Nick Chiulos and Annette D'Adamo all our lobbyist that worked with them and certainly our legislative delegation for Monterey County. They were able to secure \$17 million dollars for the inner lake tunnel project this year which is significant to cover the cost for some required fish screens for that water storage project. Secondly, and more importantly they were able to be successful in acquiring \$5 million for the Salinas regional soccer complex. This will allow us to almost fully fundraise phase two to implement the new ten (10) soccer fields on the county property across Natividad hospital. This is a big accomplishment for the soccer teams, for families, for youth and for coaches. There was a shortage of soccer fields here so to be able to carry out the next phase of this project is something that we should all be proud, and we hope to make it something our families can be proud of in the future. Lastly, he wanted to mention two things. National Night Out is coming up on August 6th. He wanted to encourage residents to participate on that Tuesday night. It's a night where our local law enforcement connects with local neighborhoods and on that day he is also announcing the annual Monterey County Peace awards. This is something he has done for the last 9 years to recognize local individuals, organizations and businesses that promote peace in our community. The deadline to submit nominations is on July 31st. He wanted to encourage residents to do. Additionally, on August 9th he will have Coffee with Luis at La Plaza Bakery East Salinas at 5:30 p.m. The topic will be preparing for the U.S. Census with our County leader Rosemary Soto, who will be speaking about trying to engage the community in the County efforts.

Supervisor Jane Parker also mentioned what a great celebration the Pride parade was over the weekend. She also shared the Communities for Sustainable Monterey County had an event on Saturday as well. Really looking back at some of the things that they can point to they were involved in

where they were successful outcomes. From things like a plastic bags, plastic bag ban and encouraging use reusable bags, straws. These are the kind of a little things we can do in our daily life to help not damage the planet, too much. They're also focusing quite a bit on supporting the communities and educating the community and elected officials on the value of infill mixed-use development. They were instrumental in bringing most of our cities and the county itself into membership and formation of the Community Choice Energy, Monterey Bay Community Power and now that so much of our electricity source well if you're getting her power from Monterey Bay Community power it's 100% carbon free you can also opt for %100 renewable, if you like, and that's one of the largest sectors of our lives that contribute to greenhouse gases and to climate change. Now the next big sector is transportation really looking at electric vehicles, electric charging stations reducing our trips taking transit and really figuring out on the way to bring those impacts down. It was really a great celebration as well. A lot of work that's been done and a lot more work to do.

11. County Administrative Officer Comments and Referrals

There were no County Administrative Officer comments and referrals.

12. General Public Comments

Open for general public comments for items no on today's agenda; Kimmie Oliver, Matt Henriques, Gloria Reynaga with the assistance of the Spanish Interpreter Denise Ramoro-Gutierrez, Maria Rodriguez with the assistance of the Spanish Interpreter Denise Ramoro-Gutierrez, Christina Torano, Casi Salazar, Carole Erikson, Horacio Amezcuita, Marisela Cercia, Sarait Martinez, Karen Cameron, Steve Eklund, Wes White, Bob Bradley, Esta Laura with the assistance of the Spanish Interpreter Denise Ramoro-Gutierrez, Rita Acosta and Curtis Tucker.

**10:30 A.M. - Scheduled Matters**

13. Adopt a resolution amending Article I.E (Health Department), Article IX (Resource Management Agency - Planning), and Article XVII (Office of the County Counsel), and adding Article XXI (County Administrative Office - Cannabis Program) (Attachment A) to the Monterey County Master Fee Resolution to internally reallocate fees received associated with processing Commercial Cannabis Permits; and provide direction as appropriate.

**Joann Iwamoto, Cannabis Program Manager from the CAO Intergovernmental & Legislative Office presented.**

Open for public comment; no public comment made.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez to:

**Adopt Resolution No. 19-271 amending Article I.E (Health Department), Article IX (Resource Management Agency - Planning), and Article XVII (Office of the County Counsel), and adding Article XXI (County Administrative Office - Cannabis Program) (Attachment A) to the Monterey County Master Fee**

**Resolution to internally reallocate fees received associated with processing Commercial Cannabis Permits; and provide direction as appropriate.**

**ALL AYES**

**14.**

PLN180205 - The Jerry and Suzanne Rava Family limited partnership and Jerry J. Rava II, trustee of the Jerry J. Rava II trust dated August 19, 1994

Public hearing to consider a Lot Line Adjustment between two (2) legal lots of record currently under Williamson Act Contract of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B).

**Proposed California Environmental Quality Act (CEQA) Action:**

Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines Section 15305(a)

**Project Location:** South of Wildhorse Canyon Road, near King City (Assessor's Parcel Numbers 420-091-020-000 and 420-091-030-000) and at 51173 Freeman Flat Road, King City (Assessor's Parcel Number 420-091-031-000), Central Salinas Valley Area Plan.

**Public hearing commenced.**

**Brandon Swanson, Interim Chief of Planning from the Resources Management Agency presented.**

**Open for public comment; no public comment made.**

**A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to:**

- a. Find that the project is a Lot Line Adjustment, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2; and**
- b. Approve a Lot Line Adjustment between two (2) legal lots of record of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) Nos. 68-016 and 93-011 established by County Board of Supervisors Resolution Nos. 68-56-16 and 92-35, with a net decrease in acreage to AGP 68-016 (Parcel A) and equal net increase in acreage to AGP 93-011 (Parcel B); and**
- c. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts in order to rescind a portion of the existing Land Conservation Contracts as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and**
- d. Direct the Clerk of the Board to record the new or amended Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.**

**ALL AYES**



**PROJECT INFORMATION:****APNs: 420-091-020-000, 420-091-030-000 and 420-091-031-000****Zoning: PG/40 and F/40****GP Land Use Designation: Permanent Grazing 10-160 Acre Min/ Farmlands 40-160 Acre Min.**

- 15.**
- a. Receive request from Executrix, Peggy Silvestri, of the Epie L. Fresquez and Tomasa M. Fresquez Estate to forgive the accrued interest on her deceased parent's CalHome loan in the amount of \$18,990.41 and their HOME loan in the amount of \$63,152.89 accrued through July 31, 2019; and
  - b. Deny the request from Executrix, Peggy Silvestri, of the Epie L. Fresquez and Tomasa M. Fresquez Estate to forgive the accrued interest on her deceased parent's CalHome loan in the amount of \$18,990.41 and their HOME loan in the amount of \$63,152.89 accrued through July 31, 2019; or
  - c. Provide further direction to staff as appropriate.

**Anastacia Wyatt, Housing Program Manager from the Economic Development Department with Brian Briggs, Deputy County Counsel from the County Counsel office presented.**

**Peggy Silvestri commented on her own behalf.**

**Open for public comment; no public comment made.**

**A motion was made by Supervisor Chris Lopez, seconded by Supervisor Jane Parker to:**

- a. Receive request from Executrix, Peggy Silvestri, of the Epie L. Fresquez and Tomasa M. Fresquez Estate to forgive the accrued interest on her deceased parent's CalHome loan in the amount of \$18,990.41 and their HOME loan in the amount of \$63,152.89 accrued through July 31, 2019; and
- b. Deny the request from Executrix, Peggy Silvestri, of the Epie L. Fresquez and Tomasa M. Fresquez Estate to forgive the accrued interest on her deceased parent's CalHome loan in the amount of \$18,990.41 and their HOME loan in the amount of \$63,152.89 accrued through July 31, 2019; or
- c. Provide further direction to staff as appropriate.

**ALL AYES**

- 16.**
- Authorize an advanced placement at Step 4 for Lori Medina selected for the position of Director of Social Services(11A12), in accordance with Personnel Policies and Practices Resolution No. 98-394, Sections A.1.11.1 and A.1.11.5, effective August 3, 2019.

**Irma Ramirez-Bough, Director of Human Resources Department with the Human Resources Department presented.**

**Open for public comment; no public comment made.**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to:**

**Authorize an advanced placement at Step 4 for Lori Medina selected for the position of Director of Social Services(11A12), in accordance with Personnel**

**Policies and Practices Resolution No. 98-394, Sections A.1.11.1 and A.1.11.5, effective August 3, 2019.  
ALL AYES**

**12:00 P.M. - Recessed to Lunch at 12:01 p.m. for continued closed session.**

**1:30 P.M. - Reconvened**

**Roll Called**

**Present: 5 - Supervisor Mary L. Adams, Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Chris Lopez and Supervisor Luis A. Alejo**

**Staff Present**

**Nick Chiulos, Assistant County Administrative Officer, Charles McKee, County Counsel and Valerie Ralph, Clerk of the Board**

**Announcement of Interpreter**

**Denise Ramero-Gutierrez, Spanish Interpreter present and announced Spanish interpreter services.**

**1:30 P.M. - Scheduled Matters**

- 17.**
- a. Receive a report on the Financial Condition of the Lakes Enterprise Fund;
  - b. Receive a report on Tier options for operating Lake San Antonio and provide direction to staff on the option to incorporate into the Reservoir Recreation Plan for Lake San Antonio;
  - c. Support RMA recommendation to retain the current level of service at Lake San Antonio through November 30, 2019, while staff finalizes the Reservoir Recreation Plan for Lake San Antonio;
  - d. Authorize the Auditor-Controller to amend the Fiscal Year 2019-20 Adopted Budget, Fund 001, Appropriation Unit RMA104, to increase appropriations consistent with Board direction to proceed with either Tier I, by \$933,634, or Tier II, by \$1,232,827, financed by a corresponding decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO017 (4/5 vote required);
  - e. Amend RMA Park Operations, Fund 001, Appropriation Unit RMA104, to add one (1) Administrative Operations Manager and one (1) Special Events Manager (4/5 vote required);
  - f. Authorize the Auditor-Controller to incorporate the two (2) approved positions in the RMA-Park Operations, Fund 001, Appropriation Unit RMA104; and
  - g. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Carl Holm, Director of the Resources Management Agency with Shawne Ellerbee, Deputy Director of Administrative Services and Jim Rodems, Chief of**

Parks from the Resources Management Agency presented via PowerPoint presentation.

Open for public comment; Mr Linger and a woman with glasses and a tan and light green blouse (no name provided) commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez as amended to:

Adopt Resolution No. 19-266 to:

- a. Receive a report on the Financial Condition of the Lakes Enterprise Fund;
- b. Receive a report on Tier options for operating Lake San Antonio and provide direction to staff on the option to incorporate into the Reservoir Recreation Plan for Lake San Antonio;
- c. Support RMA recommendation to retain the current level of service at Lake San Antonio through November 30, 2019, while staff finalizes the Reservoir Recreation Plan for Lake San Antonio;
- d. Authorize the Auditor-Controller to amend the Fiscal Year 2019-20 Adopted Budget, Fund 001, Appropriation Unit RMA104, to increase appropriations consistent with Board direction to proceed with Tier I financed by a corresponding decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO017 (4/5 vote required);
- e. Amend RMA Park Operations, Fund 001, Appropriation Unit RMA104, to add one (1) Administrative Operations Manager (4/5 vote required);
- f. Authorize the Auditor-Controller to incorporate the one (1) approved positions in the RMA-Park Operations, Fund 001, Appropriation Unit RMA104;
- g. Direct the Human Resources Department to implement the changes in the Advantage HRM system' and
- h. The Board directed staff to come back, at a later time, with a proposal to include the one (1) Special Events Manager based on new revenues, bring back a complete plan including the cost per visitor for each park.

**ALL AYES**

- 18.
- a. Receive a report on the Management Agreement for the Resort and Recreation areas at Lake Nacimiento;
  - b. Approve a Management Agreement with Urban Park Concessionaires dba Monterey Lakes Recreation Company to manage the resort and recreation areas at Lake Nacimiento from August 1, 2019 to December 31, 2026, under a fixed management fee and annual incentive fee based on adjusted net income and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Agreement;
  - c. Approve a Lease Agreement for the use of County Vehicles/Vessels by Urban Park Concessionaires dba Monterey Lakes Recreation Company;
  - d. Support the RMA recommendation that the Lakes Enterprise Fund reflect only expenditures and revenues directly associated with managing the resort and recreation areas at Lake Nacimiento; and
  - e. Authorize the Resource Management Agency Director or RMA Deputy Director of Administrative Services to enter into negotiations with Urban Park Concessionaires dba Monterey Lakes Recreation Company for transition services at Lake San Antonio under the Management Agreement from August 1, 2019 through November 30, 2019, for a total amount not to exceed \$150,000.

Carl Holm, Director of the Resources Management Agency with Shawne Ellerbee, Deputy Director of Administrative Services and Jim Rodems, Chief of Parks from the Resources Management Agency presented via PowerPoint presentation.

Open for public comment; Mr Linger and a woman with glasses and a tan and light green blouse commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to:

- a. Receive a report on the Management Agreement for the Resort and Recreation areas at Lake Nacimiento;
- b. Approve a Management Agreement with Urban Park Concessionaires dba Monterey Lakes Recreation Company to manage the resort and recreation areas at Lake Nacimiento from August 1, 2019 to December 31, 2026, under a fixed management fee and annual incentive fee based on adjusted net income and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Agreement;
- c. Approve a Lease Agreement for the use of County Vehicles/Vessels by Urban Park Concessionaires dba Monterey Lakes Recreation Company;
- d. Support the RMA recommendation that the Lakes Enterprise Fund reflect only expenditures and revenues directly associated with managing the resort and recreation areas at Lake Nacimiento; and
- e. Authorize the Resource Management Agency Director or RMA Deputy Director of Administrative Services to enter into negotiations with Urban Park Concessionaires dba Monterey Lakes Recreation Company for transition services at Lake San Antonio under the Management Agreement from August 1, 2019 to November 30, 2019, for a total amount not to exceed \$150,000.

**ALL AYES**

**19.**

Public hearing to consider amending the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program.

**Planning File No:** REF190003

**Project Location:** Countywide

**CEQA Action:** Not a Project per CEQA Guidelines Section 15378(b)(5)

**Public hearing commenced.**

Shelley Glennon, Senior Planner and Brandon Swanson, Interim Chief of Planning from the Resources Management Agency with Wendy Strimling, Deputy County Counsel from the County Counsel Office presented via PowerPoint presentation.

Open for public comment; no public comment made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to:

- a. Adopt Resolution No. 19-270 to amend the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program (see Attachment 1 for the draft resolution and proposed amended Program)

**ALL AYES**

20.

REF190027 - Industrial Hemp Pilot Program

Public hearing to consider:

- a. Adoption of an ordinance adding Chapter 21.49 to Title 21 to the Monterey County Code (non-coastal zoning) to create an industrial hemp combining zoning district (“HMP” District) containing limited pilot program regulations for cultivation and processing of industrial hemp; and amending Chapter 21.08 of the Monterey County Code to add the HMP District to the list of combining regulations and to amend the zoning classification to apply the HMP zoning designation to certain properties in the unincorporated area. This ordinance would establish a limited industrial hemp pilot program with regulations restricting the size, location, and number of industrial hemp cultivators in the inland unincorporated areas of Monterey County; or
- b. Adoption of a policy interpretation that industrial hemp cultivation and processing are not a similar use to cannabis and allow industrial hemp to be cultivated and processed as an agricultural product County-wide.

**Location:** County-wide

**Proposed CEQA action:** The ordinance is categorically exempt pursuant to Sections 15305 and 15306 of the CEQA Guidelines and the interpretation would not qualify as a “project” pursuant to the definition contained in Section 65931 of the CEQA Guidelines.

**Public hearing commenced.**

**Carl Holm, Director of Resources Management Agency, Brandon Swanson, Interim Chief of Planning and Craig Spencer, Interim Resources Management Services Manager from the Resources Management Agency presented via Powerpoint.**

**Open for public comment; Jarod Ottley, Mark Blum, Curtis Tucker, Gary Brothers, Janet Luey, Curtis Luey, Todd Williamson, Jody Pemberton, a gentleman in a blue button down shirt with a baseball cap, Jason Rederrer, Jonathan Brothers and Karen Planet commented.**

**Henry Gonzales, Agriculture Commissioner responded.**

**Matter was trailed to locate a photo of a map of Pajaro.**

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams as amended with Supervisor Luis A. Alejo to:**

- a. Find that the ordinance represents a minor alteration in land use limitations and applies for a limited term for the purposes of collecting information on industrial hemp cultivation which is categorically exempt from the California Environmental Quality Act pursuant to Sections 15305 and 15306 and none of the exceptions listed in Section 15300.2 apply;
- b. Adopt Ordinance 5314 (Exhibit A) adding Chapter 21.49 to Title 21 of the Monterey County Code (non-coastal zoning) to create an industrial hemp combining zoning district (“HMP” District) containing limited pilot program regulations for cultivation and processing of industrial hemp; and amending Chapter 21.08 of the Monterey County Code to add the HMP District to the list of

combining regulations, and amending the zoning classification to apply the HMP zoning designation to certain properties in the unincorporated area; and c. The Board directed staff to modify the ordinance to include a 3 mile buffer from cannabis unless there is some mutual consent and create a 1000 foot buffer from the town of Pajaro and outside of that would be in the HEMP overlay.

**Motion carried 4-0**

## 20.1

Consider adoption of an ordinance amending Chapter 10.60 Code regulating Noise Control, adding of a “plainly audible” noise detection standard and changing the classification for this violation to a misdemeanor; or provide further direction to staff as appropriate.

Proposed CEQA Action: categorically exempt per Section 15061(b)(3) of the CEQA Guidelines. (ADDED VIA ADDENDUM)

**Commander Joseph Banuelos from the Monterey County Sheriff's Office with Brian Briggs, Deputy County Counsel from the County Counsel Office presented.**

**Open for public comment; Kim Stemler, Sabrina Carillo, Leslie Noble, Catherine Knoff and Caroline Nueve.**

**A substitute motion made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez as amended to:**

- a. Find the adoption of the ordinance is categorically exempt per Section 15061(b)(3) of the CEQA Guidelines;**
  - b. Adopt the proposed ordinance (Attachment A) amending Chapter 10.60 of the Monterey County Code relating to noise control; with first offense an infraction and second offense a misdemeanor; and**
  - c. Provide further direction to staff as appropriate. come back in September to see if the ordinance can be an infraction and or misdemeanor**
- ALL AYES**

### Read Out from Closed Session by County Counsel

#### **CLOSED SESSION REPORT:**

**1. Closed Session under Government Code section 54950, relating to the following items:**

**a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:**

- (1) Cupul, Dayami, et al. v. Natividad Medical Center, et al.; Monterey County Case Number 18CV000786**
- (2) Save Our Peninsula Committee vs. County of Monterey et al.; Monterey County Case Number M110694**
- (3) Joseph Chaffee (Worker's Compensation Appeals Board, Case No. ADJ8330257 and ADJ8369728); Proposed Settlement Authority**
- (4) Mauck, Steven F. v. County of Monterey, et al.; United State District Court Case No. 18-CV-04482 NC**

**CLOSED SESSION REPORT: The Board took no reportable actions on items**

1.a.(1)(2)(3)(4)

b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.b.

c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: Fort Ord Landfill Parcels and Landfill Buffer Parcels, APNS 031-101-039, 031-101-040, 031-101-41, 031-101-042, 031-101-056, 031-101-057, 031-101-058, 031-161-041, 031-161-058, and Army owned Parcel E8a.2 (No APN)

Agency Negotiator(s): Carl Holm, Resource Management Agency Director

Negotiating Parties: Layne Long, City of Marina

Under negotiation: Price and terms

(2) Property: Lease of office space at 142 West Alisal St. Salinas CA 93901

Agency Negotiator(s): Carl Holm & Charles McKee

Negotiating Parties: Congressman Jimmy Panetta

Under negotiation: Price and terms

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.c.(1)(2)

d. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore

Employee Organization(s): All Units

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.d.

**Adjourned**

The meeting was adjourned at 6:00 p.m. by Chair Supervisor John M. Phillips.

**APPROVED:**

\_\_\_\_\_  
**JOHN M. PHILLIPS, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** \_\_\_\_\_

**VALERIE RALPH  
CLERK OF THE BOARD**

**APPROVED ON** \_\_\_\_\_

Supplemental Sheet, Consent CalendarNatividad Medical Center

21. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Second Amendment to the Professional Services Agreement with The Regents of the University of California, a public corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics (UCSF) to provide pediatric gastroenterology services at NMC adding \$100,000, for a revised not to exceed amount of \$200,000 with no change to the agreement term of September 7, 2016 to June 30, 2020.
- Approved - Agreement No. A-14467, Amendment No. 2**
22. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Second Amendment to the Professional and Call Coverage Services Agreement (A-13546) with Alexander Izmailov, M.D. to provide cardiology services, extending the term by twelve months (August 1, 2019 to July 31, 2020) for a revised full agreement term of July 1, 2017 to July 31, 2020, and adding \$330,000 for a revised total not to exceed amount of \$990,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the amendments do not significantly change the scope of work, and do not cause an increase of more than ten percent 10% (\$60,000) of the original contract amount.
- Approved - Agreement No. A-14468, Amendment No. 2**
23. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Second Amendment to the Professional and Call Coverage Services Agreement (A-13611) with Mohamed Kerala Serio, M.D. to provide cardiology services, extending the term by twelve months (August 1, 2019 to July 31, 2020) for a revised full agreement term of July 1, 2017 to July 31, 2020, and adding \$610,000 for a revised total not to exceed amount of \$1,880,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the amendments do not significantly change the scope of work, and do not cause an increase of more than ten percent 10% (\$122,000) of the original contract amount.
- Approved - Agreement No. A-13611, Amendment No. 2**
24. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Professional and Call Coverage Services Agreement with Advanced Gastroenterology of Monterey County to provide gastroenterology



services for an amount not to exceed \$650,000 for the period August 1, 2019 to July 31, 2020; and

b. Authorize the Deputy Purchasing Agent for NMC or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$65,000) of the original contract amount.

**Approved - Agreement No. A- 14453**

25. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the First Amendment to the Service Agreement (A-13548) with Specialists on Call, Inc., (SOC), a Delaware corporation and Tele-Physicians, P.C., a California professional corporation doing business as Specialists on Call Physicians and as California Tele-Physicians to provide tele-neurology services, adding \$63,300 for a revised not to exceed amount of \$563,300, but with no change to the agreement term of February 1, 2018 to March 31, 2020.

**Approved - Agreement No. A-13548, Amendment No. 1**

26. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 7 to the agreement (A-12885) with Forward Advantage, Inc. for Forward Advantage File Pick-Up module and support services and adding \$10,250 for a revised total agreement amount not to exceed \$199,457.

**Approved - Agreement No. A- 12885, Amendment No. 7**

27. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 3 to the agreement (A-13524) with Meta Dynamic, Inc. for rental of neurosurgery equipment plus associated services, adding \$95,000 for a revised total agreement amount not to exceed \$275,000, with no change to the term of the agreement April 15, 2015 through April 14, 2020.

**Approved - Agreement No. A-13524, Amendment No. 3**

28. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Change Healthcare Technologies, LLC for software and maintenance services at NMC for a total amount not to exceed \$4,451,055 with an agreement term retroactive to July 1, 2019 through June 30, 2024.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$445,106) of the original cost of the agreement.
- c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, limitations on liability, and limitations on damages provisions within the agreement.

**Approved - Agreement No. A-14454**

29. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a master services agreement with Vizient, Inc. for participation in its no cost group purchasing program with a retroactive agreement term of July 1, 2019 through June 30, 2022.

**Approved - Agreement No. A-14455****Health Department**

30. a. Adopt a Resolution to support a three-year Funding Agreement between the Monterey County Health Department (Health) and the Southern Monterey County Memorial Hospital dba George L Mee Memorial Hospital (Mee Memorial), to assist with the direct operational costs of providing medical services to the clients residing in King City and the surrounding area of South Monterey County for the term, retroactive to July 1, 2019 through June 30, 2022, in the amount not to exceed \$150,000; and
- b. Authorize the Director of Health or the Assistant Director of Health to execute a Funding Agreement with Mee Memorial to assist with the direct operational costs of providing medical services to the clients residing in King City and the surrounding area of South Monterey County, with an Agreement term retroactive to July 1, 2019 through June 30, 2022, in the amount of \$50,000 per fiscal year, not to exceed \$150,000.

**Adopted Resolution No. 19-263**

31. a. Approve and authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Director, to execute an Agreement between County of Monterey and Dr. John Beuerle, M.D., M.S., for the provision of Medical Director Services to the Emergency Medical Services Agency for the period from August 1, 2019 through June 30, 2022 in the amount of \$249,183.00; and
- b. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Director, to sign up to three (3) amendments to this Agreement where the combined amendments do not exceed ten percent (10%) or \$24,918.30 of the original Agreement amount and do not significantly change the scope.
- c. Authorize the modification of the County standard insurance requirements pertaining to General Liability Insurance, Business Automobile Liability Insurance, Workers Compensation Insurance, and Professional Liability Insurance.

**Approved - Agreement No. A-14456**

**Department of Social Services**

32. a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment 2 to Lease Agreement No. A-07545 (“Agreement” or “Lease Agreement”) to renew the lease through June 30, 2026, with Salinas Airport Business Park, a general partnership for 42,094 square feet of general office and training space located at 730 La Guardia Street, Salinas, California, for use by the Department of Social Services;
- b. Direct the Auditor-Controller to make lease payments of \$73,664.50 per month, effective August 1, 2019, and in accordance with the terms of the Agreement.

**Approved - Agreement No. A-07545 , Amendment No. 2**

**Criminal Justice**

33. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a three (3) year agreement, with Mission Critical Partners (MCP), LLC in the amount not to exceed \$77,122.00 for the initial term retroactive to July 1, 2019 through June 30, 2022, MCP provides proactive system and network monitoring to detect and resolve issues on MCSO servers; and
- b. Authorize the Auditor-Controller to issue a payment totaling \$16,800.00 for services provided from December 2018 to June 2019; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to two (2) additional one (1) year amendments where the amendment does not significantly change the scope of work, and where the amendment does not increase the contract value more \$35,000.00 per year for a for a maximum not to exceed amount of \$147,122.00.

**Approved - Agreement No. A-14457**

34. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Professional Services Agreement with Frank Dice, Attorney-At-Law, to provide case management and case supervision for the Alternate Defender’s Office, extending the term by four months, retroactive from July 1, 2019 to October 31, 2019 and adding \$32,000 for a total agreement amount of \$128,000.

**Approved - Agreement No. A- , Amendment No. 2**

35. Item No. 35 has been moved to the 1:30 P.M. - Scheduled Matters as item No. 20.1.

**Moved to the 1:30 P.M. - Scheduled Matters**

**General Government**

36. a. Amend the Emergency Communications Department Fiscal Year 2019-20 Adopted Budget, (028-1520-EME004-8507) to reallocate one (1) vacant FTE Management Analyst III to one (1) FTE Finance Manager II position;
- b. Authorize the Auditor-Controller and the County Administrative Office to incorporate the position change into the Emergency Communications Department Fiscal Year 2019-20 adopted budget.

**Approved**

37. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the salary range of the classification of Medical Assistant effective July 20, 2019, as indicated in the attached Resolution; and
- b. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted Resolution No. 19-264**

38. a. Approve and authorize the Auditor-Controller to execute Amendment No. 1 with MGT of America Consulting, LLC, for State-Mandated Programs' cost claiming services adding \$85,000 for revised total of \$127,500 and extending the term for an additional two years from December 10, 2018 to June 30, 2021; and
- b. Approve and authorize the Auditor-Controller to execute three (3) future amendments that do not exceed a five percent (5%) or a \$2,125 increase of the original Agreement amount and do not significantly alter the scope of services.

**Approved - Agreement No. A-14469, Amendment No. 2**

39. a. Approve the FY 2019-20 Development Set-Aside (DSA) Agencies Standard Agreements for the Monterey County Convention and Visitors Bureau (MCCVB), the Arts Council for Monterey County (ACMC), the Monterey County Film Commission (MCFC), and the Monterey County Business Council (MCBC), in the cumulative amount of \$2,122,000, for the term retroactive to July 1, 2019 through June 30, 2020.
- b. Authorize the Assistant County Administrative Officer to execute an Agreement with the MCCVB for the period of one (1) year, for the term retroactive to July 1, 2019 through June 30, 2020, in an amount not to exceed \$1,400,000;
- c. Authorize the Assistant County Administrative Officer to execute an Agreement with the ACMC for the period of one (1) year, for the term retroactive to July 1, 2019 through June 30, 2020, in an amount not to exceed \$420,000;
- d. Authorize the Assistant County Administrative Officer to execute an Agreement with the MCFC for the period of one (1) year, for the term retroactive to July 1, 2019 through June 30, 2020 in an amount not to exceed \$202,000; and
- e. Authorize the Assistant County Administrative Officer to execute an Agreement with the MCBC for the period of one (1) year, for the term retroactive to July 1,

2019 through June 30, 2020, in the amount not to exceed \$100,000.

**Approved - Agreement No. A-14458**

- 40.**
- a. Approve Amendment No. 1 to Agreement No. A-13877 with Lexus, a division of Toyota Motor Sales, U.S.A, Inc., to add additional signage rights and related additional fees to the Agreement; and
  - b. Authorize the Assistant County Administrative Officer to execute Amendment No. 1 to Agreement No. A-13877.

**Approved - Agreement No. A-13877, Amendment No. 1**

- 41.**
- a. Approve and authorize the Auditor-Controller to execute an Agreement for Collection of Special Taxes, Fees, and Assessments with the Salinas Valley Basin Groundwater Sustainability Agency, a Joint Powers Authority of the State of California; and
  - b. Approve and authorize the Auditor-Controller to execute the Agreement for Collection of Special Taxes, Fees, and Assessments template for use with other public agencies, in accordance with local, federal, and/or state law, subject to review and approval of County Counsel; delegation of authority to expire June 30, 2024.

**Approved - Agreement No. A-14459**

- 42.**
- a. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending June 30, 2019; and
  - b. Receive and Approve the Treasurer's Investment Policy for FY 2019-2020; and
  - c. Renew the Delegation of Investment Authority to the Treasurer-Tax Collector pursuant to California Government Code 53607.

**Received**

- 43.**
- Approve a request from the North County Fire Protection District for dry period loan of \$3,750,000 for the Fiscal Year ending June 30, 2020

**Approved**

- 44.**
- a. Approve a non-standard Agreement between the County of Monterey, on behalf of Monterey County Free Libraries, and California Internet LP, dba GeoLinks, to provide high speed internet connections at the Big Sur Library and Parkfield Library, for the term of August 1, 2019 through July 31, 2024, in an amount not to exceed \$50,000.00.
  - b. Authorize the Director of Monterey County Free Libraries, or his/her Designee, to sign the Service Agreement with GeoLinks and to sign purchase orders, pricing documents, and similar, in order to complete the project.
  - c. Approve non-standard Agreement provisions as recommended by the Acting Director of Monterey County Free Libraries.

**Approved - Agreement No. A-14460**

- 45.
- a. Approve and authorize the Assistant County Administrative Officer or his designee to execute standard funding agreements and future amendments that do not significantly change the scope of work subject to review and approval of County Counsel, for the two designated Homeless Emergency Aid Program (HEAP) county projects funding programs from the Monterey/San Benito Counties Continuum of Care (CoC)/Coalition of Homeless Services Providers (CHSP) on behalf of the County of Monterey through June 30, 2021:
  - b. Accept HEAP funding awarded by the CoC/CHSP in the amount of \$6,018,100 to build Regional Homeless Shelter to be located at 855 East Laurel Drive in Salinas, CA; and
  - c. Accept HEAP funding awarded by the CoC/CHSP in the amount of \$395,822 to fund the operations and supportive services for the County of Monterey and City of Salinas joint warming shelter located at 111 West Alisal Street, Salinas, CA.

CEQA Action: Previously determined to be Categorical Exempt pursuant to CEQA

Guidelines sections 15301, 15303, 15327, and 15322.

**Approved - Agreement No. A-14461**

- 46.
- a. Approve reclassification and reallocation of one (1) Office Assistant III (80E22) and one (1) Office Assistant II (80E21) to one (1) Senior Account Clerk (80J22) and one (1) Account Clerk (80J21) in the Resource Management Agency-Administration, Unit 001-3000-8222-RMA013, as indicated in the attached Resolution, effective July 6, 2019;
  - b. Authorize Auditor-Controller to incorporate the approved changes in the Resource Management Agency-Administration, Unit 001-3000-8222-RMA013 FY2019-20 Adopted Budget;
  - c. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted Resolution No. 19-268****46.1**

Adopt Resolution to:

- a. Authorize a Resolution for Housing Staff to apply for funding for the Housing for a Healthy California (HCC) Article II Grant and submit an application on behalf of EAH Inc., Non-Profit Housing Corporation in the amount of \$4,700,000.  
Authorize a Resolution for Housing Staff to apply for funding for the Housing for a Healthy California (HCC) Article II Grant;
- b. Submit an application on behalf of EAH Inc., Non-Profit Housing Corporation in the amount of \$4,700,000; and
- c. Should the County receive the funding in the amount of \$4,700,000, authorize the Assistant County Administrative Officer (CAO) to enter into, execute, and deliver a

State of California Standard Agreement (Standard Agreement) for amount not to exceed \$4,700,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the HHC Article II Grant, the County's obligations related thereto, and all amendments thereto (collectively, the "HHC Article II Grant Documents"), subject to review and approval by County Counsel.

CEQA Action: Previously determined to be Categorically Exempt pursuant to CEQA Guidelines sections 15301, 15303, 15327, and 15322.

**Adopted Resolution No. 19-265**

**46.2**

Consider:

- a. Introducing, waiving reading, and setting for adoption an ordinance suspending Sections 3 and 6, and a portion of Section 5, of Ordinance No. 5310, concerning Point of Use/Point of Entry water treatment, until December 11, 2019; and
- b. Adopting a resolution directing County staff to suspend current and refrain from future processing of applications for approvals pursuant to Section 3 and 6, and a portion of Section 5, of Ordinance No. 5310, as more fully set forth in the companion ordinance, until the earlier of October 1, 2019, or further direction is given by the Board of Supervisors. (ADDED VIA ADDENDUM)

**Adopted Resolution No. 19-269**

**RMA - Administration**

**47.**

Acting on behalf of County Service Area 75-Chualar:

- a. Adopt a resolution approving and authorizing the Chair of the Board to execute an Exclusive Negotiating Rights Agreement between the County, on behalf of County Service Area 75-Chualar and acting as the Board of Directors of the Pajaro County Sanitation District and Board of Directors of the Boronda County Sanitation District, and California American Water Company; and
- b. Authorize the Resource Management Agency Director to negotiate, execute, and implement the sale and transfer of the County Service Area 75-Chualar sanitary sewer system.

**Approved - Matter to be brought back before the Board for final vote/approval on the negotiation of sale.**

**47.2**

- a. Approve an increase to the New Juvenile Hall Project 8811 in the amount \$590,963 for FY 2019-20 from Facilities Master Plan Projects Fund 404-3000-8174-RMA015, where the total project cost increases to \$59,582,935 comprised of \$35,000,000 in SB81 Lease Revenue Bonds and \$24,582,935 in matching County funds, where the financing source is unused discretionary funds from the tenant improvement project for the East/West Wing from FY 2018-19.
- b. Authorize the County Administrative Officer to act on behalf of the Board during

the Board's Summer Recess, if the need arises, to increase funding to keep the project moving.

c. Authorize the Auditor-Controller to increase appropriations in the amount of \$590,963 in the FY 2019-20 Adopted Budget for the Facilities Master Plan Projects Fund 404, Appropriation Unit RMA015, where the financing source is fund balance (404-3101) (4/5ths vote required). (ADDED VIA ADDENDUM)

**Approved**

**47.3**

Adopt a Resolution to:

a. Approve and authorize the Contracts/Purchasing Officer to execute a Lease Agreement, effective on or about April 1, 2019, or as mutually agreeable by and between the Parties and expiring on November 30, 2020, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives, for *exclusive use* of 2,390 square feet of office space at 142 West Alisal Street, First Floor, East Wing, Salinas, California, identified as Room E-116, *permissive use* of a 180- square-foot storage room identified as Room E-114, and *non-exclusive access* to a shared Conference Room, identified as Room E-118, subject to availability located at 142 West Alisal Street, First Floor, East Wing, Salinas, California for \$2,400 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A.

b. Find that the proposed Lease Agreement is in the public interest and that said Lease Agreement will not substantially conflict or interfere with the use of the property by the county. (ADDED VIA ADDENDUM)

**Adopted Resolution No. 19-267**

**RMA – Public Works and Facilities**

**48.**

a. Approve Amendment No. 3 to Standard Agreement No. A-13727 with Netronix Integration, Inc. to include additional on-call service and repairs for annual security maintenance and system software support for the access control and CCTV systems at 168 West Alisal Street and 1488 Schilling Place in Salinas and to increase the not to exceed amount of \$219,965 by \$40,000 for a total amount not to exceed \$259,965 with no extension to the term from September 21, 2015 to September 30, 2020; and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 3 to Standard Agreement No. A-13727 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Approved - Agreement No. A-13727, Amendment No. 3**

**49.**

a. Approve Professional Services Agreements with the following four (4) consultants: Harris & Associates, Inc.; MNS Engineers, Inc.; Quincy Engineering; and Vali Cooper & Associates, a TRC Company to provide on-call construction



management services for various construction projects located in Monterey County, California under Request for Qualifications #10709, in an amount not to exceed \$750,000 each for a combined total of \$3,000,000, for a period of three (3) years beginning July 16, 2019 to July 15, 2022, with the option to extend each Agreement for two (2) additional one (1) year period(s); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said Professional Services Agreements and up to three (3) future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.

**Approved - Agreement No. A-14462, A-14463, A-14464 and A-14465**

- 50.
- a. Retroactively approve Non-Standard Agreement with Regional Government Services Authority (RGS) to provide project management consulting services supporting the RMA Chief of Building Services while managing the New Juvenile Hall Project, Project No. 8811, including backfilling for the Chief of Building Services for a total amount not to exceed \$355,500 for a term of July 1, 2019 to December 31, 2020;
- b. Approve non-standard indemnity language to reflect only the time that RGS is involved with the Project; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Non-Standard Agreement and up to three (3) future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than 10%.

**Approved - A-14466**

52.

### **ADDENDUM**

#### **Added to Appointments**

9.1 Appoint J. Alan Fagan to the Housing Advisory Committee for a term ending January 26, 2020. (Supervisor Parker) (ADDED VIA ADDENDUM)

9.2 Reappoint Levonne Stone to the Community Action Commission for a term ending July 1, 2022. (Supervisor Parker) (ADDED VIA ADDENDUM)

#### **Added to 1:30 P.M. scheduled Matters**

20.1 Consider adoption of an ordinance amending Chapter 10.60 Code regulating Noise Control, adding of a “plainly audible” noise detection standard and changing the classification for this violation to a misdemeanor; or provide further direction to staff as appropriate. Proposed CEQA Action: categorically exempt per Section 15061(b)(3) of the CEQA Guidelines. (ADDED VIA ADDENDUM)

**Added to General Government Consent**

46.2 Consider: Introducing, waiving reading, and setting for adoption an ordinance suspending Sections 3 and 6, and a portion of Section 5, of Ordinance No. 5310, concerning Point of Use/Point of Entry water treatment, until December 11, 2019; and Adopting a resolution directing County staff to suspend current and refrain from future processing of applications for approvals pursuant to Section 3 and 6, and a portion of Section 5, of Ordinance No. 5310, as more fully set forth in the companion ordinance, until the earlier of October 1, 2019, or further direction is given by the Board of Supervisors. (ADDED VIA ADDENDUM)

**Added to RMA Administration**

47.2 a. Approve an increase to the New Juvenile Hall Project 8811 in the amount \$590,963 for FY 2019-20 from Facilities Master Plan Projects Fund 404-3000-8174-RMA015, where the total project cost increases to \$59,582,935 comprised of \$35,000,000 in SB81 Lease Revenue Bonds and \$24,582,935 in matching County funds, where the financing source is unused discretionary funds from the tenant improvement project for the East/West Wing from FY 2018-19. b. Authorize the County Administrative Officer to act on behalf of the Board during the Board's Summer Recess, if the need arises, to increase funding to keep the project moving. c. Authorize the Auditor-Controller to increase appropriations in the amount of \$590,963 in the FY 2019-20 Adopted Budget for the Facilities Master Plan Projects Fund 404, Appropriation Unit RMA015, where the financing source is fund balance (404-3101) (4/5ths vote required). (ADDED VIA ADDENDUM)

47.3 Adopt a Resolution to: a. Approve and authorize the Contracts/Purchasing Officer to execute a Lease Agreement, effective on or about April 1, 2019, or as mutually agreeable by and between the Parties and expiring on January 2, 2020, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives, for exclusive use of 2,390 square feet of office space at 142 West Alisal Street, First Floor, East Wing, Salinas, California, identified as Room E-116, permissive use of a 180- square-foot storage room identified as Room E-114, and non-exclusive access to a shared Conference Room, identified as Room E-118, subject to availability located at 142 West Alisal Street, First Floor, East Wing, Salinas, California for \$2,400 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A. b. Find that the proposed Lease Agreement is in the public interest and that said Lease Agreement will not substantially conflict or interfere with the use of the property by the county.

(ADDED VIA ADDENDUM)

**SUPPLEMENTAL**

**Criminal Justice - Consent**

35. has been moved to 1:30 P.M. - Scheduled Matters as Item No. 20.1.

**51.**

- a. Approve Amendment No. 9 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc. to provide additional tasks associated with acquiring regulatory permits, and preparation of the Project Study Report/Project Report for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, County Project No. 8668, to increase the not to exceed amount by \$110,120 for a total amount not to exceed \$2,307,188, with no extension to the term of the Agreement from October 1, 2008 to June 30, 2022; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 9 to Professional Services Agreement No. A-11286 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Addendum / Supplemental**